

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HOLLY GEHL, et al.,
Plaintiffs,

v.

T-BIRD RESTAURANT GROUP, INC., et
al.,
Defendants.

Case No. 13-cv-05961-KAW

ORDER TO SHOW CASE TO
PLAINTIFFS SHANNON SPALDING
AND BRITTNI ZACHER

On September 26, 2014, Plaintiffs' counsel filed a motion for leave to withdraw as counsel of record for Plaintiff Shannon Spalding and to have Plaintiffs Spalding and Brittni Zacher withdrawn as named plaintiffs. (Dkt. No. 53.) As to Plaintiff Spalding, Counsel claims that Ms. Spalding has ceased communicating with counsel and failed to appear at her noticed deposition. (Pls.' Mot. at 2.) Plaintiffs' counsel claims that Ms. Zacher has stated that she no longer wishes to participate in the litigation, and her noticed deposition did not go forward. The motion is scheduled to be heard on November 6, 2014.

Accordingly, Ms. Spalding is ordered to show cause on or before **October 31, 2014** why the law firm of Wolf, Rifkin, Shapiro, Schulman Rabkin, LLP should not be withdrawn as her counsel in this case, and submit a declaration under penalty of perjury to either (1) confirm that she longer wishes to be a party to this litigation or (2) explain why she did not appear at her deposition despite wishing to remain a named plaintiff. Ms. Spalding's response should include the case name and number and be filed by mail to Hon. Kandis A. Westmore, U.S. District Court, 1301 Clay Street, 400 South, Oakland, California 94610.

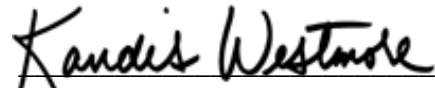
Additionally, Ms. Zacher is ordered to submit a declaration under penalty of perjury on or before **October 31, 2014** confirming that she wishes to be withdrawn as a named plaintiff. This

1 should be filed through counsel.

2 Plaintiffs' counsel is ordered to immediately serve a copy of this order and a copy of the
3 underlying motion on Plaintiffs Shannon Spalding and Brittnei Zacher.

4 IT IS SO ORDERED.

5 Dated: October 15, 2014

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7 KANDIS A. WESTMORE
8 United States Magistrate Judge
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